

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re* Flint Water Cases.

Judith E. Levy  
United States District Judge

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This Order Relates To:

*Bellwether III Cases*

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**AMENDED SCHEDULING ORDER FOR BELLWETHER III  
TRIAL**

The Court sets forth the upcoming schedule for the Bellwether III trial below.

<b><u>Event</u></b>	<b><u>Original Deadline/ Date Range Pursuant to ECF No. 2642</u></b>	<b><u>Current Deadline/ Date Range Pursuant to ECF No. 2720</u></b>	<b><u>Proposed Amended Deadline/Deadline Range (where applicable)</u></b>
Daubert and Summary Judgment Motions	<b>December 29, 2023</b>	March 22, 2024	<p><b>Defendant's Daubert motions due in the following stages:</b></p> <p><b>Stage 1:</b> The first three (3) of Defendant's Daubert motions submitted by March 28, 2024</p> <p><b>Stage 2:</b> The next three (3) of Defendant's Daubert motions submitted by April 3, 2024.</p> <p><b>Stage 3:</b> Any remaining Defense Daubert motions submitted by April 12, 2024</p> <p><b>Plaintiff's Daubert motions:</b> April 22, 2024</p> <p><b>Summary Judgment Motions for both parties:</b> April 15, 2024</p>

<b><u>Event</u></b>	<b><u>Original Deadline/ Date Range Pursuant to ECF No. 2642</u></b>	<b><u>Current Deadline/ Date Range Pursuant to ECF No. 2720</u></b>	<b><u>Proposed Amended Deadline/Deadline Range (where applicable)</u></b>
Daubert and Summary Judgment Response Briefs	<b>February 5, 2024</b>	April 3, 2024	<b>Summary Judgment Response Briefs:</b> May 13, 2024  <b>Daubert Response Briefs:</b> deadline to be determined based on the Court's determination of what responses are necessary.
Daubert and Summary Judgment Reply Briefs	<b>February 19, 2023</b>	April 18, 2024	May 28, 2024
Oral Argument on Daubert Motions	<b>April 22, 2024 2:00pm cont'd if needed on April 23, 2024 2:00pm</b>	May 27, 2024 2:00pm cont'd if needed on May 28, 2024 2:00pm	June 17, 2024 2:00pm cont'd if needed on June 18, 2024 2:00pm
Deadline for Parties to Submit Joint Proposed Jury Questionnaire to the Court (via e-mail)	<b>July 15, 2024</b>	June 24, 2024	July 15, 2024

<b><u>Event</u></b>	<b><u>Original Deadline/ Date Range Pursuant to ECF No. 2642</u></b>	<b><u>Current Deadline/ Date Range Pursuant to ECF No. 2720</u></b>	<b><u>Proposed Amended Deadline/Deadline Range (where applicable)</u></b>
Motions in Limine— Opening Briefs	<b>July 29, 2024</b>	July 1, 2024	July 22, 2024
Motions in Limine— Response Briefs	<b>August 12, 2024</b>	July 15, 2024	August 5, 2024
Motions in Limine— Reply Briefs	<b>August 19, 2024</b>	July 29, 2024	August 12, 2024
Deadline for Parties to Ship 200 copies of Juror Questionnaires to Judge Levy's Chambers in Ann Arbor, Michigan	<b>September 6, 2024</b>	September 6, 2024	September 6, 2024

<u><b>Event</b></u>	<u><b>Original Deadline/ Date Range Pursuant to ECF No. 2642</b></u>	<u><b>Current Deadline/ Date Range Pursuant to ECF No. 2720</b></u>	<u><b>Proposed Amended Deadline/Deadline Range (where applicable)</b></u>
Summoned Jurors to Courthouse to Answer Questionnaires (Court Staff Only) (Jury Department takes approximately one week to process questionnaires and make them available to counsel and the Court)	<b>September 12, 2024 10:30am</b>	September 12, 2024 10:30am	September 10, 2024 9:00am, cont'd if needed on September 11, 2024 9:00am
Hearing on motions in limine (the Court will notify the parties in advance as to which motions will be argued)	<b>September 12, 2024 10:30am</b>	September 12, 2024 10:30am	September 12, 2024 10:30am

<u><b>Event</b></u>	<u><b>Original Deadline/ Date Range Pursuant to ECF No. 2642</b></u>	<u><b>Current Deadline/ Date Range Pursuant to ECF No. 2720</b></u>	<u><b>Proposed Amended Deadline/Deadline Range (where applicable)</b></u>
Deposition Designations (due for exchange between parties)	Parties to propose deadline	Parties to propose deadline	Parties to propose deadline
Objections to Deposition Designations and Counter-Designations (due for exchange between parties)	Parties to propose deadline	Parties to propose deadline	Parties to propose deadline
Deadline for Submitting Deposition Designations Matrices and Highlighted Transcripts to the Court (via e-mail)	<b>September 16, 2024</b>	September 16, 2024	September 16, 2024

<b><u>Event</u></b>	<b><u>Original Deadline/ Date Range Pursuant to ECF No. 2642</u></b>	<b><u>Current Deadline/ Date Range Pursuant to ECF No. 2720</u></b>	<b><u>Proposed Amended Deadline/Deadline Range (where applicable)</u></b>
Parties to File Jointly Proposed Jury Instructions and Verdict Form	<b>September 16, 2024</b>	September 16, 2024	September 16, 2024
Parties to Submit Joint Final Pretrial Order (use Utilities function in CM/ECF and e-mail)	<b>September 16, 2024</b>	September 16, 2024	September 16, 2024
Parties to Submit Jointly Proposed Voir Dire Questions and Joint Statement of the Case (via e-mail)	<b>September 20, 2024</b>	September 20, 2024	September 20, 2024

<b><u>Event</u></b>	<b><u>Original Deadline/ Date Range Pursuant to ECF No. 2642</u></b>	<b><u>Current Deadline/ Date Range Pursuant to ECF No. 2720</u></b>	<b><u>Proposed Amended Deadline/Deadline Range (where applicable)</u></b>
Status Conference Regarding Excusals Based on Jury Questionnaire Responses	TBD	TBD	TBD
Final Pretrial Conference and Hearing on proposed Jury Instructions and Verdict Form	<b>September 23, 2024 10:30am cont'd if needed on September 24, 2024 10:30am</b>	September 23, 2024 10:30am cont'd if needed on September 24, 2024 10:30am	September 23, 2024 10:30am cont'd if needed on September 24, 2024 10:30am
Deadline for Court to Inform Jury Dept of Excusals Based on Questionnaires (Court Staff Only)	<b>October 2, 2024</b>	October 2, 2024	October 2, 2024



<u><b>Event</b></u>	<u><b>Original Deadline/ Date Range Pursuant to ECF No. 2642</b></u>	<u><b>Current Deadline/ Date Range Pursuant to ECF No. 2720</b></u>	<u><b>Proposed Amended Deadline/Deadline Range (where applicable)</b></u>
Hearing Regarding Misc. Pretrial Matters ( <b>if needed</b> )	<b>October 7, 2024</b>	October 7, 2024	October 7, 2024 at 10:30 a.m.
<b>First Day of Trial/Voie Dire</b>	<b>October 8, 2024</b>	October 8, 2024	October 8, 2024 at 8:30 a.m.

Hearings will be conducted in person in Ann Arbor, Michigan unless the Court notifies the parties in advance otherwise.

IT IS SO ORDERED.

Dated: March 21, 2024  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 21, 2024.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager